

No. 13 would be effective in the treatment of stomach complaints, with the exception of ulcers; that *Formula No. 14* would be effective as an astringent and emollient and as an adjunct in the treatment of bad circulation, varicose veins, piles, congestion, phlebitis, and hemorrhage; that *Formula No. 15* would be effective as a tonic, emollient, diuretic, and astringent, and as an adjunct in the treatment of coughs, bronchitis, asthma, catarrh, grippe, emphysema, and tuberculosis; that *Formula No. 16* would be effective in the treatment of heart, kidney, liver, and urinary troubles; that the *Tea No. 18* would be effective in the treatment of ulcers of the stomach and the intestines, morning sickness, sea sickness, and ulcerated stomach and intestines; and that the *Pom-made* would be effective in the treatment of "rhumatismes," "douleurs arthritiques," "goutte," and "sciatique."

The above articles were misbranded when introduced into, and while in, interstate commerce, and while held for sale after shipment in interstate commerce.

DISPOSITION: June 27, 1949. Default decree of condemnation and destruction.

2825. Supplement to notices of judgment on drugs, No. 1326. U. S. v. Elmer J. Dailey (Dailey's Laboratories). (F. D. C. No. 11424. Sample Nos. 57639-F, 57640-F.)

On September 15, 1944, following a verdict of guilty on charges based upon the interstate shipment of misbranded drugs known as *Sugretus* and *Sunol*, the court imposed a fine of \$250 and placed the defendant on probation for 5 years.

On February 10, 1948, a hearing was held to revoke the probation of Mr. Dailey; and at the conclusion of all testimony, the court found that the defendant was guilty of misbranding *Sugretus* while on probation, in the same manner as was charged in the original proceedings. The court thereupon revoked Mr. Dailey's probation and imposed a fine of \$750 and costs.

2826. Misbranding of Neg-A-Pos heel plates. U. S. v. 84 Devices, etc. (F. D. C. No. 27267. Sample No. 8536-K.)

LIBEL FILED: May 25, 1949, District of New Jersey.

ALLEGED SHIPMENT: On or about January 1949, from Manchester Center, Vt.

PRODUCT: 84 devices known as *Neg-A-Pos* at Hackensack, N. J., in the possession of Mr. G. V. Crowell, together with a number of leaflets entitled "*Neg-A-Pos*" which Mr. Crowell had printed locally. The device consisted of a copper and zinc plate, each pasted to a piece of flannel.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the accompanying leaflets were false and misleading since the device was not effective in the treatment of the conditions stated and implied nor for the purposes mentioned: "*Neg-A-Pos* relieves Arthritis & Sacrailliac Back, stiffness and pain due to Rheumatism and muscular pains * * * It Stimulates the Natural electrical impulses of the System and helps Nature in a natural way to Exude or carry off accumulated deposits which cause pain and stiffness. You will note a Comfortable Warming of the Feet within a few hours which is a Natural Action. * * * In the Heel they come in Contact with the Large Nerve and Blood Vessels of the Leg. That is where they start to work." The devices were misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: July 11, 1949. Default decree of condemnation. One dozen of the devices were ordered delivered to the Food and Drug Administration, for experimental and exhibition purposes, and the remaining devices were ordered destroyed.

2827. Misbranding of Vibro-Sazh devices. U. S. v. 10 Cartons * * *.
(F. D. C. No. 27264. Sample No. 19350-K.)

LIBEL FILED: May 23, 1949, Northern District of Ohio.

ALLEGED SHIPMENT: On or about April 27, 1949, by Vibrosazh, Inc., from Faribault, Minn.

PRODUCT: 10 cartons each containing a device known as *Vibro-Sazh* and a circular entitled "Glowing Health with Vibro-Sazh" at Cleveland, Ohio. This product was essentially a vibrating and massaging device. It consisted of a cup-shaped device to be attached to the hose of a vacuum cleaner, so that the flow of air would cause a vibration.

LABEL, IN PART: (Circular) "Glowing Health With Vibro-Sazh * * * Vibro-Sazh Health Vibrator introduces New Air Method Of Vibration and Massage."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circular were false and misleading since the device would not fulfill the promises of benefit stated and implied. The statements represented and suggested that the device would enable one to have glowing health; that it would be efficacious in the cure, mitigation, and treatment of the discomforts of lumbago, sinus, rheumatism, arthritis, and muscular aches and pains due to poor circulation; that it would take off unwanted and unsightly pounds and replace them with healthy firm tissue; that it would stimulate the circulation in the deeper tissue and aid in the removal and discharge of waste products, such as fatigue acids and tissue debris; that it would promote increased circulatory action; that it would melt away excessive fatty tissue, induce sleep, and aid in the removal of wrinkles, crow's feet, and double chin; that it would stimulate growth of firm tissue where added fullness was desired; that it would help to bring about a better supply of fresh blood; that it would comfort and sooth jittery, strained, and overworked nerves and muscles; that it would relieve ordinary headaches, dull sinus pains above the eyes, and head and chest colds; that it would help to promote sound sleep and would be of great help in the treatment of many disabilities; that it would be of real value in most types of convalescence; that it would be a big factor in restoring one's body to youthful freshness; and that it would be efficacious in the cure, mitigation, and treatment of nervousness, backaches, insomnia, and aches and pains in the back, arm, and shoulder muscles.

DISPOSITION: July 15, 1949. Default decree of condemnation and destruction.

2828. Misbranding of Happy Jack Sarcoptic Mange Medicine. U. S. v. 23 Cartons, etc. (F. D. C. No. 27186. Sample No. 3276-K.)

LIBEL FILED: May 5, 1949, District of Maryland.

ALLEGED SHIPMENT: On or about April 8, 1949, by Happy Jack, Inc., from Farmville, N. C.

PRODUCT: *Happy Jack Sarcoptic Mange Medicine*. 23 cartons, each containing 1 10-ounce bottle, and 10 cartons, each containing 1 24-ounce bottle, at Baltimore, Md. Analysis showed that the product contained carbolic acid (0.6%), pine tar oil, turpentine oil, sulfur, and clay in a mixture of vegetable oil and fish oil.